

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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December 1, 2020

Via ECF

The Honorable J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Capser*, 19 CR 337 (JPO)

Dear Judge Oetken:

I write with the consent of the Government to respectfully request an adjournment of Mr. Capser's sentencing, currently scheduled for December 10, 2020. Mr. Capser lives in Billings, MT, and would like to appear in person for his sentencing. In light of the ongoing public health crisis and the Chief Judge's November 30, 2020 Order suspending in-person operations, Mr. Capser is requesting that the matter be postponed until it is safe to travel to New York. The defense does not object to the exclusion of time under the Speedy Trial Act.

Thank you for your consideration of this request.

Granted.

The December 10, 2020 sentencing is adjourned sine die. Counsel are directed to file a status letter by February 12, 2021.

So ordered.
December 4, 2020

Respectfully submitted,



Tamara L. Giwa
Counsel for Todd Capser
Federal Defenders of New York
(917) 890-9729



J. PAUL OETKEN
United States District Judge